

## Wills and Probate

Wills can be an absolute mine of information; they might name several members of the family, thus confirming relationships, and they will give an indication of the financial state of the deceased.

### A Bit of History

When searching for a Will, there are two distinct sets of dates to bear in mind: 1384 to 1858 and those from 1858 onwards.

Until 12<sup>th</sup> January 1858, all wills had to be proved by the Church and other courts, of which there were several. Prior to this date, the country used the Prerogative Court of Canterbury if the deceased was in the South of England and most of Wales. If they lived in the north of England, the will was proved by the Prerogative Court of York.

Next down the line were the Diocesan (Bishop's) courts; and below them the Archdeaconry Courts. If a person's property was in just one Archdeaconry, then that Archdeaconry dealt with probate. However, if a person had property in more than one Archdeaconry, then the Diocesan Court was needed to deal with it. Then again, if someone held property in more than one Diocese, then the PCC or PCY handled the probate.

From 1858 onwards, all wills proved in England and Wales were held by the Court of Probate, but are now held by the Royal Courts of Justice. These wills are indexed in the Probate Calendar. It is easy to use and contains quite a lot of detail.

### Who might have left a Will?

If your ancestor was a craftsman or merchant, then the chances are that there will be a will. Publicans also fall into this category, as do blacksmiths and millers.

If you find someone who is described as a 'gentleman' (check the census!) chances are that they have left a will as well.

People who described themselves as 'gentlemen' usually left wills.

Landowners will also have left wills, even though the property usually was inherited by the eldest son. Consider farmers under this heading as well.

Sometimes, a Will might turn up for the least likely of candidates, so there are no hard and fast rules. Check for all of your ancestors!

### Where are the Wills?

County Record Offices (CROs) usually hold Diocesan and lower court wills - these may be indexed by the county record office, county record society or county family history society. The indexes may also be online on the CRO website.

Some PCC wills from 1384-1858 are available to download from the National Archives for a fee.

The Calendar is also available to view on commercial websites, but it will cost you money to see them.

The Government's Probate Service has an online search facility for the calendars of wills and probate material, from 1858 to the present day. The calendars, which may be used to order full copies of the documents, can provide details such as address, date of death and names of other family members. Upon payment of £10.00, a copy of the will may be ordered, which is then emailed to you.

Just remember – those early wills are more likely to be written in Latin as well as the handwriting style of the day!

~~~~~

If you are having problems in finding a particular will or are too far away to pop in and have a look, someone else might be able to help you. Register for FREE at <http://www.genealogy-specialists.com/> and post details of your ancestor. The members will be delighted to try to find a will for you! You might also be having problems in actually reading the wills that you have. Genealogy Specialists has members who can read the strangest of handwriting!

If you would like to discover more about Wills and Probate, listed below are some products that will certainly help you to understand, and all of them are available from [www.paritychest.com](http://www.paritychest.com). Just pop the reference number in the website search box to see the details.

- What Does it Mean? Words in Wills, Inventories, Deeds and Documents Ref: NWA-OHM26
- A Latin Glossary Ref: FHP-128
- Reading Old Handwriting Ref: NWA-OHM22
- How to Decipher and Study Old Documents Ref: ANG-ARA 79

Within their **Family History Bookshop**, Parish Chest has a complete section that is dedicated to *Wills and Probate*. It is broken down by county and country and lists all the products that are relevant to that particular area. Take a look on [www.paritychest.com](http://www.paritychest.com) to find the region in which you are searching.